

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4407 of 1987

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?

4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge? : NO

PRAKASH JAGANNATH ACHARYA

Versus

STATE OF GUJARAT

Appearance:

MR DM THAKKAR for Petitioners
MS MANISHA LAVKUMAR for Respondent No. 1 TO 5

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 11/08/2000

ORAL JUDGEMENT

#. Heard the learned counsel for the parties.

#. A copy of the reply filed by respondents No.3 to 5 is
not on the record. Xerox copy thereof has been taken

from the Government advocate. In para-6 of the reply, the respondent stated that as per Government (Road and Building Department) Resolution No.WCE/1588/S/1/G-1 dated 17.10.1988, with effect from 1.10.1988, the petitioners are taken up as permanent daily wage employees and are paid the pay and allowances as applicable. It is further stated that those who are S.S.C. passed are also taken up as per the Government (Road and Building Department) Resolution No.DEE/1091/1716(70)9-2 dated 30.10.1991 and they are paid pay and allowances, medical leave, earned leave, casual leave, etc. It is further submitted that as per the Circular dated 14.9.1987, regular pay scale is given to the petitioners. They have also been extended benefits of pension, gratuity as per permanent daily wage employees. In view of these statements made by respondents in this reply, now nothing more survives in this special civil application and the same is dismissed. However, still if something survives, the petitioners are free to file a detailed representation to the concerned officer of the Department and if such a representation is made, then that officer shall consider and decide the same within a period of two months from the date of receipt thereof by passing a reasoned order. In case of any difficulty, liberty is granted to the petitioners for revival of the special civil application. Rule discharged. Interim relief, if any, earlier granted stands vacated. No order as to costs.

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(sunil)